IN THE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. 613/03

PETITIONER

Govindram Dhruv, son of Shri Inder Dhruv, aged about 56 years, Assistant Teacher, Primary School, Kumhar Para, Retavand, Block Bastar, Distt. Bastar (C.G.)

VERSUS

RESPONDENTS

1) State of Chhattisgarh, through : the Secretary, Department of Tribal Education, D.K.S. Bhawan, Raipur (Chhattisgarh).

2) Commissioner, Tribal Welfare Department, Jagdalpur, Distt. Bastar (Chhattisgarh)

3) Collector, Tribal Welfare Department, Jagdalpur, Distt. Bastar (Chhattisgarh)

4) Block Education Officer, Bastar, Distt. Bastar (Chhattisgarh)

5) Block Education Officer, Kondagaon, Distt. Bastar (CG)

6) Manohar Ram Baghel, Assistant Teacher, Primary School, Nariha (Bayanaar), Block Kondagaon, Distt. Bastar (Chhattisgarh).

P. R. No. 469/03
Presented by Shri P.P. Sahu
dated 11.02.03

TRUE COPY.
11-2-03
ADVOCATE TO H.C. BILASPUR

WRIT PETITION UNDER ARTICLES 226 OF THE CONSTITUTION OF INDIA.

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. No. 613 सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

01/4/2003

Shri P.P. Sahu, counsel for the petitioner.

Shri Ranbir Singh, Govt. Advocate, for the respondents.

I.A. No.1406/03 for urgent hearing is allowed.

Heard.

This petition is against the order of transfer dated 03.02.2003 passed by respondent no.2 (Annexure-P/1), in which the name of the petitioner appears to be at serial no.2. The contention of the petitioner is that he is serving as Assistant Teacher in Primary School, Kumharparar, Retaband district Bastar and without giving any consent or application in writing, the petitioner has been transferred leaving the family in a naxalite area. He submitted an application to the Assistant Commissioner, Tribal Welfare, Jagdalpur, Distt. Bastar vide Annexure P-2 which has been received by the Clerk concerned vide Annexure P-3. He also served some of the authorities by Speed Post vide Annexure P-4, but those representations have not been decided. It is further submitted that he has not given any mutual consent or any application regarding his transfer at any point of time and on the basis of forged application, he has been transferred. It is submitted that the petitioner has not been relieved so far.

[पीछे देखिये

(23)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 613/03 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Having considered the facts and circumstances of the case and material on record, ends of justice would be served if the petitioner submits fresh representation along with a copy of this petition before the competent authority.

Let the petitioner make a detailed representation afresh within ten days alongwith a copy of this order and other documents, which shall be considered and decided by the competent authority i.e. respondent no.2. If required, he may also be heard in person.

Till consideration and decision on the representation, the impugned order of transfer dated 03.2.2003 (Annexure-P/1) shall not be given effect to.

With the aforesaid observations, this writ petition is disposed of.

Consequently, M.W.P. No. 530/03 for stay stands disposed of.

Certified copies to the parties.

Sd/-
Fakhruddin
Judge

[पीछे देखिये